

REMARKS

Claims 1-4 and 9-12 were pending and under consideration. Claims 5-8 and 13-18 stand withdrawn pursuant to a restriction requirement and an election requirement.

In the Office Action of February 25, 2009, claims 1-4 and 9-12 were rejected as anticipated by Sato et al. (USP 5995249). A requirement to add the legend "Prior Art" to Figs. 9A and 9B was made.

In response, claims 1-4 have been amended, claims 9-18 have been cancelled, claims 19-24 have been added, and Figs. 9A and 9B have been amended. Additionally, the abstract of the disclosure has been amended.

The changes to Figs. 9A and 9B are described above. This issue is believed to be resolved.

The abstract has been amended to place it in better form.

Regarding the rejections of the claims, the rejection is traversed as to claims 1-4 and moot as to claims 9-12.

Claim 1 now recites how the first photosensor extends to a non-light incident side of the substrate to an extent greater than does a second photosensor. This feature is nowhere shown in Sato, et al.

Sato, et al. nowhere discloses two photosensors in side by side relationship wherein one of the photosensors extends more toward one side of a substrate than the other photosensor. Indeed, there is no cross-sectional view of the Sato, et al. device from which to determine this, and nothing in the specification to suggest this structure.

As set forth in the specification, with the claimed structure, it is possible to implement a method whereby under the first photosensor for receiving a light beam having a large wavelength, no electric charge of the light beam having a large wavelength is transferred. As a result, even if a large-wavelength light

beam such as a red-color light penetrates the first photosensor as is the case with the conventional solid-state image pickup device, entering a space beneath the first photosensor, the light beam with the large wavelength does not propagate to the electric-charge transfer section for transferring the electric charge of the light beam with the large wavelength. For this reason, the first electric-charge transfer method does not raise a smear problem caused by mixing of a noise signal with electric charge in transferring the electric charge of an electric beam having a large wavelength. Specification, page 10, line 12 to page 11, line 3.

Sato, et al. cannot accommodate such a method because Sato, et al., does not disclose a similar structure. Accordingly, it is submitted that Sato, et al. does not fairly anticipate the claimed invention and does not fairly render the claimed invention obvious.

Regarding new claims 19-24, those claims have been added recite features disclosed in connection with figure 1B and accompanying text. No new matter has been added.

In view of the foregoing it is submitted that claims 1-4 and 19-24 are allowable and that the present application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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